



General Assembly

January Session, 2013

Amendment

LCO No. 6786

HB0659606786HR0

Offered by:

REP. O'NEILL, 69th Dist.

To: House Bill No. 6596

File No. 409

Cal. No. 276

(As Amended)

"AN ACT CONCERNING POLICE OFFICERS AND FIREFIGHTERS."

1 Strike section 1 in its entirety and insert the following in lieu thereof:

2 "Section 1. Section 7-454 of the general statutes is repealed and the
3 following is substituted in lieu thereof (*Effective from passage*):

4 In determining the municipal employees entitled to participate in
5 the system and the extent of their participation, all service performed
6 by an employee in the employ of any municipality which joins the
7 system, for such employer, shall be included except as provided in this
8 section. The following services shall be excluded: (1) Services which, in
9 the absence of federal-state agreement, would constitute "employment"
10 as defined in the Social Security Act, (2) services of individuals in
11 positions covered under the Connecticut State Teachers' Retirement
12 Association other than services performed by individuals to whom
13 Section 218(c)(3)(B) of the Social Security Act is applicable; services

14 performed prior to August 16, 1994, of individuals in [policemen's or
15 firemen's] police officers' or firefighters' positions covered under fund
16 A or fund B or local retirement systems and (3) services which, under
17 the Social Security Act, may not be included in an agreement between
18 the state and the Secretary entered into under sections 7-452 to 7-459,
19 inclusive. Service which under the Social Security Act may be included
20 in an agreement only upon certification by the Governor in accordance
21 with Section 218(d) of said act shall be included if and when the
22 Governor issues, with respect to such service, a certificate to the
23 Secretary pursuant to section 7-455. Any municipality applying for
24 membership in the system may elect to exclude from membership in
25 the system the following: (a) All services in any class or classes of
26 elective positions, part-time positions or positions the compensation
27 for which is on a fee basis, (b) student service to the fullest extent such
28 coverage is permitted under Section 218 of the Social Security Act, (c)
29 services performed by individuals to whom Section 218(c)(3) (B) of the
30 Social Security Act is applicable or (d) any services which may be
31 optionally excluded under Section 218(c) of the Social Security Act.
32 Any municipality which joined the system prior to July 8, 1955, shall
33 be deemed to have elected exclusion (c). Where any municipality
34 covers under the agreement the services described in exclusion (c), the
35 services of any individual thereby covered shall cease to be covered by
36 the agreement if he thereafter becomes eligible to be a member of a
37 retirement plan, but only if the agreement is not already applicable to
38 such plan pursuant to Section 218(d) of the Social Security Act.
39 Nothing in sections 7-451 to 7-459, inclusive, shall prevent coverage
40 under the system in accordance with Section 218(d)(8) of the Social
41 Security Act of services of individuals in positions covered by more
42 than one retirement system. Where, prior to June 29, 1959, services in
43 positions covered by a retirement system have been covered under the
44 system, the legislative body of a municipality may request that services
45 of individuals excluded from such coverage because such positions
46 were covered by another retirement system be included under the
47 system, and such services shall be covered under the system in
48 accordance with Section 218(d)(8) of the Social Security Act."